

BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, October 28, 2004

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, October 28, 2004, at 3:00 p.m., at Police Headquarters, 1300 Beaubien – Rm. 328-A, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Arthur Blackwell, II
Erminia Ramirez
Jim Holley
Megan Norris
Willie Hampton **(ABS)**

Department Personnel Present

Chief Ella M. Bully-Cummings
AC Walter Shoulders
DC Fred Campbell
Cmdr. Craig Schwartz
Cmdr. Ralph Godbee
Insp. Duane Mckissic
Insp. Jamie Fields
Insp. John Autrey
Lt. Herbert
Sgt. Debbie Jackson
Sgt. Mitchell
PO Derrick Mays
PO Mike Woody
PO Hall
PO Huggins
PO Brown

Board Staff Present

Dante' L. Goss, Executive Director
E. Lynise Bryant-Weekes, Personnel Director
Denise R. Hooks, Attorney/Supervising Inv.
Arnold Sheard, Interim Chief Investigator

OTHERS PRESENT

Ron Scott
Tawana Morris
G. A. Walters

Gloria Canales
Rodney McDuffy
Aaron McCaughley

RECORDERS

Jerome Adams
Kellie Williams

1. CALL TO ORDER

Vice-Chairperson Ramirez called the regular meeting of the Detroit Board of Police Commissioners to order at 3:14 p.m.

2. APPROVAL OF MINUTES

♦ **Thursday, October 21, 2004**

MOTION: **Comm. Holley** made the motion to approve the above Minutes.

SECOND: **Comm. Norris** seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. REPORT FROM THE CHAIR

Chairperson Blackwell stated I had an opportunity on two occasions to discuss with the Chief about some ballot issues. Clearly, we are not here to promote political campaign for President or anybody like that, you vote for whoever you feel that you need to vote for, just vote. On the ballot issues, which are on the ballot, there are several proposals that are specific to public safety. There are not tax increases, they are ballot initiatives for the selling of bonds. I think for us here on the Board of Police Commissioners, we would be remised if we didn't talk about our support on the record, for what I think is critical and not only to this community, in upgrading our facilities, but also to the consent decree. Basically, we know that Cornerstone is building a detention facility, which would replace a lot of local lockups in the precincts, as well as, we would spend money in various precincts to upgrade its facilities. As you know, we are requiring our officers to train twice a year with their firearms, before they take that test. Well, there are currently no open ranges inside the precincts; this is part of the ballot initiatives.

The ballot initiatives are not tax increases; they are the selling of bonds. He asked Chief Bully-Cummings if she could talk briefly about that.

Chief Bully-Cummings stated there is approximately \$215,000,000 dollars under five different proposals that the voters will be asked to provide the city authorization to sell general obligations bonds. Of that \$215,000,000, \$120,000,000 are for public safety, which include the fire department, the police department, and another city agency. Of the \$120,000,000, \$78,000,000 will be specifically for the Detroit Police Department. And, that \$78,000,000 will be used to do a number of things. And, part of it is to come into compliance with one of the consent decrees, and that is the Conditions of Confinement because we veered and marked \$30,000,000 to go to a stand alone detention facility. We did have an assessment done, our holding facilities at the beginning of 2002 and it was estimated that it would cost approximately \$66,000,000 to bring those holdings facilities up to standard. And, so it just makes better economics. It is more efficient and effective to build a stand alone facility at \$30,000,000 and that would bring us into compliance with that one consent decree almost automatically. There is \$9,000,000, being asked for to do upgrades or renovations at police precincts. During the 90's, when there was a budget surplus, there was no maintenance on our police precincts and we have twelve of them and there built in 1948 and the most recent one was 1991, which is the Eleventh Precinct. There is a little over \$5,000,000; they were asking for to renovate our firing range that is at five of our police precincts. We have had to close every firing range at the police precincts because they have not been maintained. As the Chair indicated, the Use of Force and Witness Detention consent decree now requires that police officers qualify at least twice a year with their side arm and we provide them with absolutely no place to practice. If they don't qualify on the date of their test, then I am required to take their weapon away from them, which means that I can't deploy that body on the street at full duty. So, we have to provide our officers some place to qualify, if we in fact expect them to successfully pass their firearms qualification test. We only have one gun range in the city and that is Rouge Range, which is an outdoor range with 30 firing stations and we do not have the opportunity to allow officers to go their and practice because we are trying to qualify almost 4,000 members every six months using 30 firing stations. There is \$20,000,000 being asked for a new crime lab. Currently, we are in an elementary school on Brush Avenue in the center of new development. If you go over there, you will see where walls are caving in and it is just a matter of time before I am sure, because that land over there is very valuable, either the land will be sold or the walls will collapse. Our crime lab services the citizens in the city of Detroit and if we did not have our own crime lab we would be thrown into the hopper with everybody else that has to utilize the Michigan State Police Crime Lab. And, they already have a backlog, so you can just imagine where our needs would be, it could really be on the back burner. There is another \$14,000,000 being asked for a property room. I think if you have never taking a walk through our police property room, you will realize that we just don't have the room to have the amount of evidence that we take in.

Plus it compromises a number of things, when you have weapons, narcotics and money all over the place, there is just no way to efficiently run the property room with the space we have available in police headquarters. In the end, if this proposal doesn't pass things will not get better, they will get worse. Our facilities will continue to deteriorate and will not come into compliance with the Conditions of Confinement consent decree. I have heard different stories out there, where some people are going out and they are telling folks that if you vote on Proposal S that crime will go up. It has nothing to do with crime going up or down. Right now, we are paying 1.4+ million dollars to a federal monitor to be the eyes and ears of the federal judge and the 1.4 million dollars does not give us any equipment, it doesn't renovate or repair any of our facilities, we will continue to pay that because I guarantee you if we don't come into compliance the monitor would be here. At some point in time, the judge will find out that our behavior is willful and wanting and he will assess fines. Now, we as taxpayers pay that 1.4 million dollars now. So, either we pay now or we will pay later and much later will cost us a lot more, if we pass this proposal next Tuesday.

Chairperson Blackwell asked what are the proposal letters?

Chief Bully-Cummings stated Proposal P is for Public Lighting, Proposal S is for Safety, Proposal R is for Recreation, Proposal T is for Transportation, and Proposal N is for Neighborhoods.

Chairperson Blackwell stated even though the Chief mentioned that half of the money was specifically earmarked for police, obviously public lighting is critical to law enforcement. She said that there are individual criminals that are out on the street that are shooting light bulbs out to make an area ill lit. This is real important. As we fight, we go to the county for an appropriation; the issue is this is an issue, where we generate funds through a selling of general obligation bonds. Full figure credit of the city, does not actually take money out of the general fund. It's a very important and necessary thing to do. It is used by municipality. The issue is, I think everyone to really concentrate on what you said, because if we fail to do this, what happens is at the end of many day, when you can't pay, they assess a judgment against the taxpayers of the community. So, at some point whether you pay them, they are going to get the money because you have to come into compliance, which is the federal requirement. People need to not get emotionally tied up in this because this is real basic. This is for the investment and infrastructure. We are in an old building here and we have to invest. Chief, you have been doing a good job and I would like to congratulate you today on your first anniversary.

4. SECRETARY'S REPORT – EXEC. DIR. GOSS

IMPORTANT DATES

Please note the following:

- The Board of Police Commissioners' November Community Meeting will be held on ***Tuesday, November 9, 2004***, due to the Veteran's Day holiday. The meeting will be held at the Brightmoor Community Center located at 14451 Burt Road, Detroit, Michigan 48223.
- The Board of Police Commissioners' will hold their Thursday meeting on ***Tuesday, November 23, 2004***, due to the Thanksgiving Day holiday.

OFFICE CLOSINGS

The Board of Police Commissioners Office and the Office of the Chief Investigator will be **closed** on the following dates:

- Tuesday, November 2, 2004, in observance of Election Day.
- Thursday, November 11, 2004, in observance of Veteran's Day.
- Thursday, November 25, 2004 and Friday, November 26, 2004 in observance of Thanksgiving Day.

CITIZEN COMPLAINTS RECEIVED

	<u>This Week</u>	<u>Year to Date</u>
2004 - Weekly Count of Complaints:	35	1,362
2003 - Weekly Count of Complaints:	34	1,080

Comm. Holley asked will there be an effort made to make sure that the community knows about the date changes for the community meeting?

Exec. Dir. Goss stated yes, we will send out notices.

5. REPORT/PRESENTATION – CHIEF OF POLICE

Chief Bully-Cummings stated organizationally, I have moved the Police Community Services Unit and attached it to the Investigative Operations Division (I.O.D.) for a specific reason. The reason is that the I.O.D. is responsible for the investigation of all crimes committed in the city of Detroit with the exception of your specialized crimes like homicide, Sex Crimes, Domestic Violence and Child Abuse. And, this provides them with a tool to fan out into the community when a

business has been burglarized, they can go in and provide information to the business on how to better secure his/her business. They work hand in hand with IOD and I we have the two commanding officers here, from the east side and the west side.

Comm. Norris asked could you give us an update on the officer, who was stabbed?

Chief Bully-Cummings stated since that time, an off duty-officer was shot last night. The information that we have, has been very limited because his family has not wanted to release any of that. I went to the hospital last Saturday, when the incident happened. I am not sure if you are aware that it was about a six to nine inch hunting knife that was used and about six inches of it entered the officer. He was in surgery at that time and he is not faced with a life threatening injury. It is going to take him a number of weeks to even recover from that stab wound. The police department was able to detain both persons into custody. Based upon the prior history, of the individual that stabbed the officer, and the fact that they were casing a store, the security guard officer that called 911 may have very well foiled an armed robbery and maybe even something even more serious than that.

DETROIT POLICE DEPARTMENT

REPORT TO THE BOARD OF POLICE COMMISSIONERS

Vision Statement

BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

During the period of October 20th–26th, the *Narcotics Enforcement and Conspiracy Units* conducted 4 search warrants and 7 street enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

- ◆ 14 Felony arrests
- ◆ 14 Misdemeanor arrests
- ◆ 1,749.7 Grams of cocaine, 87 grams of heroin, 37,034 grams of marijuana - street value \$1,004,616.00
- ◆ \$18,650.00 U.S. currency
- ◆ 4 Handguns
- ◆ 2 Long guns

During October 18th - 22nd, *The Vice Section* conducted enforcement actions within the Thirteenth Precinct, resulting in the following citations and confiscations:

- ◆ 18 Arrested for "Offer to Engage Another for the Act of Prostitution"
- ◆ 6 Arrested for "Accosting and Soliciting"
- ◆ 1 Cited for "No City of Detroit Business License"
- ◆ 1 Cited for "Employ a Person Without Food Handler Card"
- ◆ 1 Cited for Engage as a Food Handler Without License"

Confiscated:

- ◆ 16 Vehicles

BREAKING AND ENTERING

On October 21st, officers of the 6th Precinct received a police run on a "Breaking and Entering in Progress" in the 6700 block of Mettetal. As the officers approached the location, they observed a sofa on the lawn. They also heard voices coming from inside the home. The officers entered the location and found two (2) subjects inside. They were both arrested without incident for "Home Invasion."

Police/Community Intervention



TAKING THE GUNS OFF THE STREET !



Total Guns Confiscated
Year-To-Date
3,522

FIFTH PRECINCT

On October 15th, four (4) persons were robbed at gunpoint in the 15400 block of Harper. Due to the diligent efforts of the 5th Precinct officers, the wanted subject was identified and arrested on October 20th. Confiscated was a facsimile firearm.

EIGHT PRECINCT

On October 24th, officers from the 8th Precinct were on patrol in the 18900 block of Patton, when they observed illegal gambling activities. As a result of their investigation, two (2) men were arrested; one (1) for "Carrying Concealed Weapon-Person" and the other for "Violation of Controlled Substance Act." Confiscated were a .357 Magnum and a plastic bottle containing pills.

TENTH PRECINCT

On October 22nd, officers of the 10th Precinct were on patrol in the area of Dexter and Sturtevant. The officers were providing special attention to the area for narcotic activity. As a result, one (1) man was arrested for "Carrying Concealed Weapon-Person." Confiscated was a 9mm handgun.

Additionally, On October 24th, officers of the 10th Precinct were on patrol in the area of Livernois and Tireman. They observed two (2) men walking, one (1) with what appeared to be a shotgun barrel protruding from his sleeve. Both men were investigated; one (1) was released, and the other was arrested for "Carrying Concealed Weapon-Person" and "Violation of Controlled Substance Act." Confiscated was a Mossberg shotgun.

THIRTEENTH PRECINCT

On October 22nd, officers from the 13th Precinct responded to a police run on a robbery of the First Standard Bank, located at W. Grand Boulevard. The officers obtained a description of the wanted person, and immediately began to canvass the area. The officers investigated a man that matched the description. He was arrested for "Carrying Concealed Weapon-Person." Confiscated was a blue steel semi-automatic handgun.

Chief of Police Ella M. Bully-Cummings

6. PRESENTATION – POLICE COMMUNITY SERVICES UNIT

Lt. Terry Herbert from the Police Community Services Unit gave the following PowerPoint presentation:

(See Attachment)

Questions & Answers

Comm. Norris asked is that \$700.00 going to make you break even? Are we going to make money off of that? Is that just a sort of subsidy?

Lt. Herbert stated no, the \$700.00 fee that we charge for outside agencies, goes to the general fund. It doesn't really come back to the Training Bureau, Police Community Services Unit or the IOD. We have explored other ways of getting that money to put back in training.

Vice-Chairperson Ramirez asked did you say that it goes back to the general funds?

Lt. Herbert stated yes.

Comm. Norris asked do you keep track of how much it is, so at least at budget time, we can go to them and said that we put this much money in there?

Chief Bully-Cummings stated there are a number of things that the department does and the revenue it generates goes into the fund, but it is also a part of our annual budget. If you look at our budget, you will see where we are responsible for generating "x" number of dollars of revenue.

Comm. Norris stated and this is part of it.

Chief Bully-Cummings stated right.

Comm. Norris asked do you have a sense as to how much it costs to put this on, compared to how much is coming in?

Lt. Herbert stated the Management Services Bureau conducted a survey in terms of how much it actually costs us to conduct the 80-hour Citizens Academy and a number of other programs that the Detroit Police Department currently does not charge for. Most of the instructors, who teach the 80-hour class or the advance class, are former DPD employees. They have come through the system, they benefited from going through the 80-hour class and now they are serving their prospective employees in many other ways. We don't pay anybody to be an instructor for the class. Most of the class is instructed by my staff and outside people that come in.

Comm. Norris stated right, but it is costing us something to do that because we are putting you to work instead of having you do something else.

Lt. Herbert stated absolutely. In terms of benefits, when our Detroit officers go to the class; we give them tools that they can take back into the community to empower the community. Those tools consist of them knowing how to conduct a security survey and a meaningful crime prevention presentation. So, when those requests are requested of us, we can actually route them to the precinct and say, you have "x" amount of officers, who have received the training, could you please send an officer to conduct that survey.

Chief Bully-Cummings stated we can do an assessment of how much it actually costs us to facilitate the class.

Comm. Norris stated I think it would be helpful to have an idea of if this is a break even or a gain or a loss. I recognize that the dollars would come back to us, but in terms of what we are charging, it would be helpful to know.

Comm. Holley stated I am familiar with 911. He asked what is 311?

Lt. Herbert stated non-emergency.

Chairperson Blackwell asked in regards to the Spanish Academy, should it be called the Spanish Police Academy or Spanish Speaking Police Academy?

Vice-Chairperson Ramirez stated Spanish Speaking Police Academy.

Lt. Herbert stated we could take the semantics back to the drawing board. That is something that has to be approved by the Chief and it is in the development stages.

Chairperson Blackwell asked Lt. Herbert to introduce his staff?

Chief Bully-Cummings stated I just want to commend the Police Community Services Unit, especially under Lt. Herbert's leadership. There are certain entities in this police department, when you can say that it really does take a special kind of police officer to work there. You just can't be anybody. These officers go above and beyond the hours and everything else and working with the community. They have done a tremendous job with the little bit of resources that they had in the small amount of time that they have been active. They don't know that I get a lot of phone calls, letters or people walking up to me when they have gone out and they have done presentations, especially with our young people. They make a very big impression on them.

Comm. Holley asked will there be an Arab speaking class to get them involved with community policing?

Lt. Herbert stated you are right, our community does not look just like you and I, it is a very diverse community. We have already reached out to that

community. There are some future plans in the work. There are only 12 of us and we are doing the best that we can, but that is something on the drawing board to engage that community as well.

Comm. Holley asked is there any reason why the lecturer is there and not there? I think that when people are walking in front of the speaker, it becomes distracting.

Chairperson Blackwell stated they do the presentations so that we could see and at the same time it is still open for us to interact with the community.

Comm. Holley asked could we do a test run. I think that it is so impolite to walk in front of people who are speaking. It is also distracting to have people passing things to others, during the presentation. Mr. Chairman, I think that you will really be pleased, if you let me organize that.

Chairperson Blackwell stated the only thing that I am concerned about is the electrical outlet because he has to be where most of the juice is. We could have Dante' and Jerome lay some plans out.

7. PRESENTATION – PLANNING & ACCREDITATION

Insp. Jamie Fields from the Planning & Accreditation Section gave the following PowerPoint presentation:

(See Attachments)

- **DIRECTIVE 201.11: ALARMS**

Questions & Answers

Vice-Chairperson Ramirez asked have we had this policy?

Insp. Fields stated no, but we did have a city ordinance that was passed on it.

Comm. Norris stated they only respond to alarms, where there has been some confirmation that it is not a false alarm. I don't logistically know how they do that, except that they require the alarm company to do something to determine if in fact it is a valid alarm before they respond?

Insp. Fields stated when we did the research on this and there are some departments that don't respond after three calls and place you on a list. This is something that I disagree with. The main problem we have is car alarms, house alarms, and people who lock their keys in, sometimes it will ring two or

three weeks when they are gone on vacation and no one has access to shut them off. So, there is really no way to call and verify.

Chairperson Blackwell stated senior citizens are very dependent on alarms because they are scared of people breaking & entering into their homes. I am very concerned about senior citizens, who feel that is their only line of defense. If you start telling them, I will give you a fine if this goes off; you are going to create some anxiety.

Insp. Fields stated that is why we took that into account. When the false alarms reports are filled out, it goes to the community relations officer of the precinct. The goal is to find out if there is a malfunction with the alarm and to find out what the problem is. The goal is not to generate revenue or write tickets, it is to help people repair alarms, so that we can respond to legitimate alarms. I think that is the entire goal of the program. I think people will feel safer overall we have those man hours, which is more important than the money, so that they are responding to legitimate alarms.

Chairperson Blackwell stated you would admit that generally when there is an alarm going off and there is the coming of the dispatches the officer's sometimes become because of the percentage rate it's almost like how is that received in the police department.

Insp. Fields stated lots of times the problem is the problem would be a car alarm would go off and the people wouldn't be able to handle the problem at that particular time, and sometimes someone set off the car alarm on purpose and when it rings long enough and people ignore it then they immediately break into the car. So, obviously quick response time is the key with that many alarm runs.

Chairperson Blackwell stated I am less concerned about a car alarm than a house alarm. A car alarm is a car alarm. I mean I'm talking about the safety of an individual. So, maybe in terms of prioritization a car is just a car alarm. That's just to alert the neighbors. But a house alarm is something that could be very serious and just the way that they respond and those kinds of things. So I know that you guys have looked at this and I would really like to hear some more testimonies from the community on that issue. Because I know for old people that are home alone and like that if they feel like their alarm is annoyance and they have to find a way to, or they would begin to create anxiety and it is very difficult to explain and I know part of the last presentation was when community policing was trying to find a way to convince the community that were trying to not be you know insensitive to their concerns or to them.

Insp. Fields stated they also put up an important week for them. For consideration, we put a section up for the vouching and we are responding to

each of the alarms and how the officers should check the policies and the residencies because that percent that we check for are safe.

Chairperson Blackwell stated the 1% number is just let me ask you a question. If someone does or doesn't have the ability to set off a house alarm and be gone by the time they get there. Now it looks like nothing ever happened.

Insp. Fields stated that it is always a possibility.

Chairperson Blackwell asked how can you say 1%? I mean that actually, sometimes people check and see if the alarm is engaged.

Comm. Holley asked why can't we just have a zero tolerance?

Insp. Fields stated no, I don't I think were going the other way. I think that it's important that we don't have zero tolerance in the policy because there are people that just like Commissioner Blackwell said that will test the, or maybe testing out a house, or casing a house or they may be setting the alarm off. But the problem is 55 to three months period somebody could be or had it fifty five times.

Chairperson Blackwell stated to the Chief, that he doesn't know if Inspector Fields is feeling me so I'm saying so can you have a word with him. You know he's a great guy but I need to know because I know that you understand being a Detroit resident and what were saying. I am not saying that he didn't. I don't know where he lives. He probably lives in the city. But the point is just that it's an important issue for us up here on this stage.

Comm. Holley stated it is not just for older people, but it is for younger people, like myself.

- **DIRECTIVE 204.2: TRAFFIC ENFORCEMENT**

Questions & Answers

Chairperson Blackwell asked are you saying that the Detroit Police Department always helps stranded motorists?

Insp. Fields stated no, I am not saying that. In the policy that we are encouraging and officer should do it.

Chairperson Blackwell stated but you did say always. He asked you didn't mean that?

Insp. Fields stated when officers are involved in priority, but the problem is depending on the situation when they are done, they can go back and assist the motorists.

Chairperson Blackwell asked is it unsafe for patrol cars to pull people over on the freeway and park sideways because oncoming traffic could impact their car, if they are not paying attention?

Insp. Fields stated we encourage them to pull into a parking lot, turn the corner or pull up in the driveway, so that situation doesn't happen.

Chairperson Blackwell stated my concern is primarily on the freeway.

Chief Bully-Cummings stated it is usually primarily in the street too, they have jurisdiction over it.

Chairperson Blackwell stated our traffic people stop....

Chief Bully-Cummings stated yes, they have....

Insp. Fields stated there is a law about moving over one lane to avoid that. Also, in the policy, we have a section about assisting motorists to get back in traffic because that is also another problem.

Comm. Holley stated that's nice.

- **DIRECTIVE 304.4: BOARD OF REVIEW**

Questions & Answers

Chairperson Blackwell asked in regards to in a serious line of duty injuries or deaths of DPD members, what about non-DPD members?

Insp. Fields stated they are charged with firearms, critical or....

Chairperson Blackwell asked what if they were killed with a vehicle?

Insp. Fields stated those specific cases don't go to the track of a Board of Review, but we still investigate it.

Vice-Chairperson Ramirez asked if you are on non-street duty status, how long does the process take to be returned to full duty status?

Insp. Fields stated it could vary in complexity of the particular case.

Vice-Chairperson Ramirez asked would it take a year?

Insp. Fields stated it could be from a matter of a couple of days to months. It depends.

Comm. Norris stated I have some concerns about this policy. I think that the best way to address them is probably for me to talk to Ms. Hooks and then have Ms. Hooks talk to you. If we could work all of that out, terrific. And, if not, we will probably bring it back to terrific and if not, we will probably bring it back to talk more about it.

Comm. Holley stated I feel like some more people from the community should be here.

Comm. Norris stated that is my concern is where do we fit and where does community review fit.

- **DIRECTIVE 401.1: PERFORMANCE EVALUATION RATINGS**

Questions & Answers

Comm. Holley asked do we have something to say about the overall of the police department?

Comm. Norris stated we have never and I don't think that we should be involved evaluating officers?

Comm. Holley stated I know that the Chief works at the pleasure of the Mayor, but I am just saying that....

Comm. Norris stated there are some things that we could do, that won't affect this policy. For example, in our annual report, we could be evaluating how we think things are going, which we have not done. She asked in the promotional process, what role, if any, do evaluations have?

Chief Bully-Cummings stated none; it is part of the collective bargaining agreement.

Comm. Norris stated that's a concern that I have because this is a policy issue. I know that this is not the Chief's fault; this is something that we have inherited. We need to look at how or if at all something like this can have any import, so that it has some teeth to it.

Comm. Holley stated I think the community should have the respect for us, that if there is something that indeed overall that the police department...for example, if we are not doing this with the consent decree, then our Chairman will steps up and says, no we are here and we are the check and balance

here. It would seem like to me that there ought to be one of the roles we ought to play with this because of the credibility that we are suppose to bring to the table here, in relationship to the police department because the Chief obviously has the Mayor. At some point, in terms for the community, we are the ones that are held accountable. He asked am I reading this wrong?

Chairperson Blackwell stated not quite.

Comm. Holley stated I could be reaching....

Chairperson Blackwell stated our independence has changed since the last Charter because before we served completely at the Mayor's pleasure, which means that he could remove us or appoint us at anytime. Now, we have to be removed for cause, it has to be something that is egregious. But the community is still going to hold the Mayor and his representatives accountable because they are elected. So, even though the community comes every week and they expect us to do that as appointees of the Mayor and confirmed by the City Council, but having independence at a particular role pursuant to the Charter, which we will do when we are done. At the end of the day, they are going to look at it, that the Mayor should have used his wisdom and they might ask the following questions: Who are these people that you appointed? Are they engaged in the process? Are they following the Charter are they doing this or doing that? So, you are right in that our responsibility under the Charter, that's what the people are going to look to see if we are doing our job. Ultimately, they are going to look to the person that they elect to determine whether or not, the people that he appointed have good sense and judgment relative to relying to these issues. We do have more independence because we can disagree once we are appointed that we think that is a wrong policy. In my opinion, the two things that we have that are extraordinary and very powerful is when the Chief comes to us and says I want to suspend this individual without pay, that cannot go with this Board. So, that is a very powerful and tool that this Board has. Sometimes we have concurred and sometimes we haven't. The second thing is every policy, no matter what the consent decree says, alternate must be approved by this Board. If we decide that we are not ready to do that, we have that right. Clearly, we are working with the Chief, the Mayor and the Monitor to try to deal with a very tough situation. But, we are independent enough and strong enough, that if we say at the end of the day that we cannot adopt that, that is a very powerful authority and rule that we have for that.

Comm. Holley stated point well taken.

Chairperson Blackwell asked will these directives come back at the next meeting?

Comm. Norris stated no, they will come back in two weeks.

Chairperson Blackwell stated I have some issues with Directive 201.11: Alarms and Comm. Norris has some issues with the Directive 304.4: Board of Review. Those things need to be dialogued and discussed in the community.

8. APPROVAL OF GRANTS

The Gang Enforcement Section of the Detroit Police Department has been operating the ***G.R.E.A.T. Program*** for approximately twelve (12) years. G.R.E.A.T. is a life skills competency program, designed to provide children with the skills they need, to avoid gang pressure and youth violence.

The Gang Enforcement Section will receive a grant award in the amount of **\$56,000.00**. There is **no cash match**.

MOTION: **Comm. Holley** made the motion to approve the above Grant.

SECOND: **Comm. Norris** seconded the motion.

VOTE: All in attendance voted in the affirmative.

The National Institute of Justice, a component of the Office of Justice Programs, United States Department of Justice is offering a grant opportunity to law enforcement agencies.

The ***DNA Capacity Enhancement Program Formula Grant*** is based upon Part 1 crimes and is designed to improve the infrastructure and analysis, so they can process DNA samples efficiently and cost-effectively. The grant will help prevent future DNA backlogs and help the criminal justice system realize the full potential of DNA technology. The Forensic Services Section will receive a grant award in the amount of **\$420,000.00**. There is **no cash match**.

MOTION: **Comm. Holley** made the motion to approve the above Grant.

SECOND: **Comm. Norris** seconded the motion.

VOTE: All in attendance voted in the affirmative.

9. OTHER BUSINESS

Comm. Norris stated in order to go into closed session we have to meet some statutory requirements. We have a request by an applicant, Ms. Tina Cook, that the matter involving her be conducted in closed session.

MOTION: **Comm. Norris** made the motion for the Board to go into closed session pursuant to MCL 15.268F, to review and consider a matter relating to an employment application.

SECOND: **Comm. Holley** seconded the motion.

VOTE: All in attendance voted in the affirmative.

Comm. Norris asked Vice-Chairperson Ramirez to do the roll call?

Chairperson Blackwell stated according to procedure, actually in a roll call vote, the Secretary should ask for that.

Exec. Dir. Goss did the following roll call:

- **Comm. Holley** stated yes.
- **Comm. Ramirez** stated yes.
- **Comm. Norris** stated yes.
- **Comm. Blackwell** stated yes.

Comm. Norris stated a request having been made and approved by two-thirds of the members, we can convene in closed session for purposes of considering an employment matter.

Chairperson Blackwell asked in regards to appointed procedure, we will then come back out into formal session to adjourn?

Comm. Norris stated yes.

The Board went into closed session at 4:45 p.m.

The Board returned from closed session at 5:15 p.m.

MOTION: **Comm. Blackwell** made the motion to return back into the regular session.

SECOND: **Comm. Norris** seconded the motion.

VOTE: All in attendance voted in the affirmative.

Vice-Chairperson Ramirez asked do we have to do roll call?

Chairperson Blackwell stated no, a motion and support has been recognized that we are back in full session.

Comm. Norris stated now we need a motion to act.

Chairperson Blackwell stated the motion before us is....

Comm. Norris stated right now there is no motion before us; we went into closed session to discuss an issue.

Chairperson Blackwell stated there is an issue before us.

Comm. Norris stated that is right.

Chairperson Blackwell asked should we put the issue in (inaudible) of us?

Comm. Holley stated you put it in motion.

Comm. Norris stated right. The issue before us is an appeal...

Chairperson Blackwell stated whether to grant or not grant the appeal.

Comm. Norris stated of Tina Marie Diaz Cook.

Chairperson Blackwell asked has that issue been read because we have never read that issue?

Comm. Norris stated no we don't, that's what gets discussed in closed session. So, the issue before is the appeal of Tina Marie Diaz Cook.

MOTION: **Comm. Blackwell** made the motion to concur to grant the appeal.

SECOND: **Comm. Holley** seconded the motion.

VOTE: All in attendance voted in the affirmative.

10. ANNOUNCEMENT OF NEXT MEETING

Thursday, November 4, 2004 @ 3:00 p.m.

Police Headquarters
1300 Beaubien, Rm. 328-A
Detroit, MI 48226

11. ORAL COMMUNICATION FROM THE AUDIENCE

Mark Deloninos stated I am a retired officer. He suggested that Chief Bully-Cummings should check with Selfridge International Guard Base because they have a large gun range.

Tawana Morris stated I am a retired police officer. She asked when there is an officer within the department and they are sick, and it is obvious that there is a sick person is there a procedure to help that officer?

Chairperson Blackwell asked can you give me an explanation?

Ms. Morris stated if they are a wife beater and etc.

Chairperson Blackwell asked do you mean if they have a psychological problem?

Ms. Morris stated yes.

Chief Bully-Cummings stated yes, there is a procedure in the department. They are probably the same procedures in the department when you were on the police department.

Ms. Morris stated hopefully it is a better one because it did not help me. I had to seek my own help. I was concerned because these are the same people that are going out in public and dealing with citizens.

Chairperson Blackwell stated there was an individual who was taken a prescription for anti depressants being recommended for suspension because the and he reached out for help out and he did not get the help. I am not saying that it didn't exist, but the mechanism wasn't clear. So her behavior at the time when she was arrested was very unusual and weird. When we found out about that precipitating problem, we felt that this person was asking for help and didn't really receive any. We said that we would not support that suspension without pay and it got back to the Law Department and they started working with this. To your point and I guess to the Chief, there are probably are procedures in place, that might need to be clearer and more available.

Cmdr. Godbee stated the early warning system that we are developing under the guides of the consent decree. We have identified some behavioral

characteristics that earlier in, before a person becomes a discipline problem. Within that system there is an intervention that is caused earlier in the process prior to getting to that point. What it will contemplate is having an Employee Assistance Program and getting the requisite help for a person in those situations that may have marital problems, financial problems, child care problems and all of the things that we didn't classically contemplate within the law enforcement before. So, those issues have been contemplated. We are close to a roll out on the interim system and those are the things that a supervisor is going to have to be clearly aware of.

Comm. Norris stated I think the key there is going to be the training. I do remember Comm. Blackwell's case and the situation was that the person had confided in somebody within the command staff and sort of did it as a personal confidence and the person of the command staff did not recognize that the department is now on notice, whether it is a personal confidence or not. I think it is very important that supervision understand what they are allowed to do and what their responsibilities are.

Cmdr. Godbee stated training is going to be a huge component, but also formalizing the intervention process.

Chairperson Blackwell asked could I make a suggestion? You are probably are setting up a system where people that have these issues can contact someone in. Knowing that somebody just went out on a run and saw a terrible incident, a murder, or a traffic accident may have an issue. Whether they ask for it or not, we would sit down and do an interview....

Cmdr. Godbee stated that is a part of the decision making matrix also. We realized that a lot of times that we spend a lot of attention on extreme cases and officers see a number of different things on a daily basis that we take for granted. Within that process the supervisor has to ascertain what kind of runs that this person has been to and what kind of traumatic incidents that they witnessed. Even to the extent if you are involved in a shooting where you are not hit, but just the trauma of knowing that you were involved in that kind of situation. Training is going to be a huge component.

Chairperson Blackwell asked is that in the works?

Cmdr. Godbee stated yes.

Comm. Holley asked what if they are in a state of denial and they are not looking for help?

Cmdr. Godbee stated there are mechanisms in place where supervisors can order persons to Fitness for Duty Evaluation and take appropriate action after that.

Chief Bully-Cummings stated we have done that in the past in terms of having people ordered, when our observations indicate that there may be an issue, when that member is in denial.

Aaron McCaughley stated I was trying to be a Detroit Police Officer and I was not cleared medically. I made an appeal. Three months ago, I sent a letter to the Mayor, the Chief and the Director of Personnel. When I asked, how long it would take to get an answer back, I was told 30 days. I am curious as to when I am going to get an answer because it has been three months.

Dir. Bryant-Weekes stated I don't know who told Mr. McCaughley that it only takes 30 days. However, I believe that my office did receive the letter. I have one investigator that is assigned to do all reinstatement investigations as well as disqualified applicants. It usually takes at least 6 to 8 weeks. I am not exactly sure that we have received his. When the Chief gets them, she sends them to me and we investigate them and give her a recommendation back. If it is a medical disqualification, which means that we would have to send it to the medical Section to get the records or to get an explanation because we do not maintain medical information with the applicant file. So, that could be an additional....

Chairperson Blackwell asked did you and this gentleman ever have that conversation prior to this?

Dir. Bryant-Weekes stated no, I don't get them directly. I have never spoken to Mr. McCaughley.

Chairperson Blackwell stated that was a very good and simple explanation and I am sure that if he had that, he may not even been here today.

Dir. Bryant-Weekes stated I have never....

Chairperson Blackwell stated you mentioned that someone told you 30 days. He asked do you know whom?

Mr. McCaughley stated I called the Detroit Police Recruiting Department and they told me what was going on. They did explain to me that that situation does take 6 to 8 weeks for an investigation. But, like I said it has been 3 months. I know that everybody is very busy, but I am not....

Chairperson Blackwell stated no, you seem like a fine young man, who is trying to get an answer. I am sure that Ms. Bryant-Weekes will work with the Chief's representative and get it done.

Dir. Bryant-Weekes stated absolutely. I can just check on when we got it because we always ask the Chief's Office for at least 5 to 6 weeks because we do have the one investigator.

Chairperson Blackwell asked do you get many of these?

Dir. Bryant-Weekes stated yes.

Chairperson Blackwell asked why do we only have one person assigned to it?

Mr. McCaughley stated in regards to my medical condition, everything was cleared through my physicians and specialists.

Comm. Norris stated it sounds like it is all being reviewed, but we just haven't gotten to the end of that.

Chairperson Blackwell asked do you need money?

Dir. Bryant-Weekes stated no, it's just some staffing issues and the whole department is short and that is why we are trying to hire right now.

Chairperson Blackwell asked so we can hire an additional person?

Dir. Bryant-Weekes stated so that we can get enough officers on the department, so that the Chief could fill vacancies in other bureaus and agencies. The Recruiting Unit is not up to maximum staffing, but neither is many of the other units in the department.

Chairperson Blackwell asked do you need more people?

Dir. Bryant-Weekes stated yes.

Chairperson Blackwell asked do we have the budget to hire an additional person?

Dir. Bryant-Weekes stated yes.

Chairperson Blackwell asked so in other words that process...?

Chief Bully-Cummings stated that is a sworn position and yes, we are hiring. As you, know we have the "Give Back, Get More" Campaign.

Dir. Bryant-Weekes stated she is of the rank of investigator.

Chairperson Blackwell asked who does she work for?

Dir. Bryant-Weekes stated she works for me in the Recruiting Unit.

Chairperson Blackwell asked the Chief if she is going to get them another person?

Chief Bully-Cummings stated yes, we are really trying to fill these positions.

Mr. McCaughley stated thank you very much.

Chief Bully-Cummings stated I would like to add one thing because I don't want Mr. McCaughley to walk out of here under a misconception. We operate under MCOLE standards and MCOLE standards require that our department physician clears an individual medically, not that we accept your physician's clearance. Our doctor has to do the clearance. If the department's doctor doesn't clear the candidate medically, then there is nothing that we could do about it.

Chairperson Blackwell asked if he makes that judgment and the specialist or somebody comes back and presents some additional information, is that something that is taken into consideration?

Dir. Bryant-Weekes stated absolutely. When they go to the clinic sometimes, the clinic sends them to their physician to ask them to get clearance. However, Dr. Blessman has to review them all and it is his decision.

Chairperson Blackwell stated he has the final decision, but they sometimes look for the input.

Dir. Bryant-Weekes stated he reviews the medical information that the applicant has submitted. So, we are looking into it.

Ms. Walters stated voiced concerns in regards to the department of police officers with the public, the inability to properly inform the citizens of this community and take their suggestions because there is no trust, and everyone has to be involved in solving the problems in this city.

12. ADJOURNMENT

The meeting was adjourned at 5:16 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/kdw